

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4159 of 2025

Arising Out of PS. Case No.-272 Year-2024 Thana- RAGHOPUR District- Vaishali

1. Raj Kumar Rai Son of Late Shankar Rai Resident of Village - Jafarabad Dih, P.S. - Raghapur (Rushtampur O.P.), District - Vaishali, at present Resident of Village and P.S. - Deedarganj, District - Patna
2. Manoj Rai @ Manoj Kumar Son of Late Shankar Rai Resident of Village - Jafarabad Dih, P.S. - Raghapur (Rushtampur O.P.), District - Vaishali, at present Resident of Village and P.S. - Deedarganj, District - Patna
3. Balabh Rai @ Raj Ballabh Rai Son of Late Ganga Sagar Rai Resident of Village - Jafarabad Dih, P.S. - Raghapur (Rushtampur O.P.), District - Vaishali, at present Resident of Village and P.S. - Deedarganj, District - Patna
4. Munee Lal Rai @ Munni Rai Son of Late Ganga Sagar Rai Resident of Village - Jafarabad Dih, P.S. - Raghapur (Rushtampur O.P.), District - Vaishali, at present Resident of Village and P.S. - Deedarganj, District - Patna
5. Jhimi Lal Rai Son of Late Ganga Sagar Rai Resident of Village - Jafarabad Dih, P.S. - Raghapur (Rushtampur O.P.), District - Vaishali, at present Resident of Village and P.S. - Deedarganj, District - Patna
6. Ram Chandra Rai Son of Late Harinandan Rai Resident of Village - Jafarabad Dih, P.S. - Raghapur (Rushtampur O.P.), District - Vaishali, at present Resident of Village and P.S. - Deedarganj, District - Patna
7. Guru Rai @ Guru Dayal Rai Son of Shiv Shankar Rai @ Jattu Rai Resident of Village - Jafarabad Dih, P.S. - Raghapur (Rushtampur O.P.), District - Vaishali, at present Resident of Village and P.S. - Deedarganj, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Ajay Kr. Thakur, Advocate Ms. Vaishnavi Singh, Advocate
For the State	:	Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-02-2025

Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 103, 238



and 61(2) of the B.N.S..

3. The prosecution case, in brief, is that on 11.09.2024 at about 10 AM, husband of informant had gone to Hajipur with papers of land to procure some information about survey. It is alleged that while he was returning to his house, due to old land dispute, at about 8 PM, on New Six Lane Ganga Bridge near Pillar Nos. 27-28, all the F.I.R. named accused persons, including these petitioners, killed husband of informant and threw away the dead body in Ganga river. The dead body was found on 13.09.2024 and thereafter this F.I.R. was lodged.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are innocent and have committed no offence. As per F.I.R., the alleged occurrence took place on 11.09.2024 and the dead body was found on 13.09.2024 but the present F.I.R. has been lodged on 14.09.2024 raising vague suspicion against these petitioners. From bare perusal of the F.I.R. it is apparent that informant is not an eye witness of the alleged occurrence and only suspicion has been raised against these petitioners due to on going land dispute between the parties. It is further submitted that as per *post mortem* report, doctor who conducted the *post mortem* has not found any external or internal injury on the body of the



deceased and has opined that death was caused due to asphyxia as a result of drowning and thus the *post mortem* report itself falsifies the entire prosecution case. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the aforesaid facts and circumstances, nature of accusation and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XV, Vaishali at Hajipur in connection with Raghapur (Rustampur) P.S. Case No. 272 of 2024, subject to condition as laid down under Section 482 of the B.N.S.S..

(Prabhat Kumar Singh, J)

shashank/-

U		T	
---	--	---	--

